

ON FILE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RAYMOND SCOTT GAINES, #929195,

Petitioner,

v.

DOUGLAS DRETKE, Director
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

NOV 23 2005

CLERK, U.S. DISTRICT COURT
By *[Signature]*
Deputy

Civil Action No. 3:03-CV-2612-L

ORDER

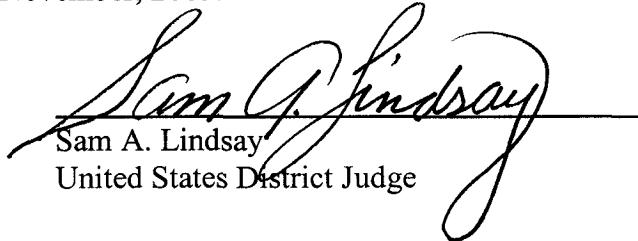
This is a habeas case brought under 28 U.S.C. § 2254. Pursuant to 28 U.S.C. § 636(b), and an order of the court in implementation thereof, this action was referred to the United States magistrate judge for proposed findings and recommendation. On October 13, 2005, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) were filed, to which Petitioner filed no objections.

Petitioner contends that Respondent violated his civil rights by denying him work-time and good-time credits which would entitle him to release on parole. The magistrate judge determined that Petitioner was released from the Texas Department of Criminal Justice, Correctional Institutions Division on October 11, 2004. The magistrate judge recommends, therefore, that the court dismiss Petitioner’s petition as moot, as Petitioner has received the relief requested.

After making an independent review of the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct. They are therefore accepted as those of the court.

Accordingly, Petitioner's petition for habeas corpus is hereby **denied as moot**, and this action is **dismissed without prejudice**.

It is so ordered this 23rd day of November, 2005.



Sam A. Lindsay
United States District Judge